

REMARKS

Claims 1 - 14 are pending, claims 4 and 10 having been amended above so as to be in independent form including all of the limitations of base claim 1 (as filed) and the intervening claims 2 and 3, claims 1 and 11 having been amended above so as to distinguish claims 1 - 3, 5 - 9 and 11 from the prior art of record, as will be discussed below, and claims 13 and 14 having been added.

The Examiner is thanked for having indicated in the first Office Action that claim 12 has been allowed, and that claims 4 and 10 would be allowable if placed in proper form.

The drawings stand objected to as noted by the Examiner in paragraph 3 of the Office Action. Reconsideration of the objection to the drawings is respectfully requested in view of a description of the reference numerals 16 and 17 having been added to the specification at page 2, and the reference numeral 188b and its lead line having been deleted from Fig. 22(b) by providing a substitute drawing sheet of the drawing sheet that contains Fig. 22(b).

The Abstract and the disclosure stand objected to as noted by the Examiner in paragraphs 5 and 6 of the Office Action. Reconsideration of these objections is respectfully requested in view of the amendments to the specification above, wherein the suggestions of the Examiner have been followed. The Examiner is thanked for having carefully reviewed the specification.

Claims 1 - 3, 5 and 6 stand rejected under 35 U.S.C. 102(b) as being anticipated by Tomioka (U.S. Patent No. 5,668,661). Reconsideration of this rejection is respectfully requested in view of claim 1 having been amended above. Whereas Tomioka requires that there be provided four zoom optical systems, the present invention is advantageous in that only a single pair of zoom optical systems are included in the stereoscopic microscope body (see applicant's Fig. 7 and the accompanying description thereof). Accordingly, claim 1 has been amended above so as to patentably distinguish the claimed structure from Tomioka by requiring that "no more than a pair of zoom optical systems" are included within the microscope body. As claims 2, 3, 5 and 6 each depend (directly or indirectly) from claim 1, these claims also are

no longer anticipated by Tomioka.

Claims 7 and 8 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Tomioka in view of Fujiwara (U.S. Patent No. 4,798,451). Reconsideration of this rejection is respectfully requested in view of the above-discussed amendment to claim 1. As amended, the combination of Tomioka and Fujiwara no longer makes obvious the limitations of claims 7 and 8 for the same reason as pointed out above in discussing how claim 1, as amended, distinguishes over Tomioka, since Fujiwara does not make up for the deficiency of Tomioka with regard to the amended limitation of claim 1.

Claim 9 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Tomioka in view of Taira (U.S. Patent No. 4,412,727) and Morita et al. (U.S. Patent No. 6,333,813). Reconsideration of this rejection is respectfully requested in view of the above-discussed amendment to claim 1. As amended, the combination of Tomioka, Taira, and Morita et al. no longer makes obvious the limitations of claim 9 for the same reason as pointed out above in discussing how claim 1, as amended, distinguishes over Tomioka, since Taira and Morita et al. in no way make up for the deficiency of Tomioka with regard to the amended limitation of claim 1.

Claim 11 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Taira in view of Morita et al. (U.S. Patent No. 4,412,727). Reconsideration of this rejection is respectfully requested. Claim 11 has been amended above at lines 10 - 12 so as to patentably distinguish the claim from the prior art of record. In Taira, the ocular tube is not rotatable about an axis that is parallel to the exit axes of the pair of relay optical systems, as is illustrated by the arrow in applicant's Fig. 8, as is now claimed in amended claim 11. Further, Morita et al. does not make up for the deficiency of Taira in this regard. Therefore, it is requested that the rejection of claim 11 as amended be reconsidered and withdrawn.

Claims 4 and 10 stand objected to as being dependent upon a rejected base claim. By the above Amendment, claims 4 and 10 have been amended so that each is now in independent form and includes all the limitations of the base claim and any intervening claims. Therefore, it is requested that the objection to claims 4 and 10 be reconsidered and withdrawn.

Claims 13 and 14 have been added, and these claims distinguish, for example, over Tomioka (U.S. Patent No. 5,668,661) by having the first connector and the second connector separately arranged on the surface of the microscope body. As shown in Fig. 13 of Tomioka, the second connector (the portion enclosing the space 82b, as pointed out by the examiner) is arranged on the first connector (the portion enclosing the space 82a).

Having amended claims 1 and 11 so as to distinguish these claims, as well as the claims dependent from claim 1, from the prior art of record, having amended claims 4 and 10 to be in independent form, having amended the specification and drawings so as to overcome the objections thereto, and having added new claims 13 and 14, it is respectfully requested that, unless more pertinent prior art is found, an early Notice of Allowability be provided. A check in the amount of \$720.00 to cover the fee for a 1-month extension of time, for amending claims 4 and 10 to be in independent form, and for adding new independent claim 13 (i.e., the fee for three additional independent claims in excess of three independent claims as contained in the application papers as filed) is attached hereto. Please charge any additional fee(s) that may be required, or credit any overpayment, to the undersigned's Deposit Account No. 01-2509.

Respectfully submitted,
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Attachments: Replacement Drawing Sheet 23 of 25
Check in the amount of \$720.00

Drawing Amendments

Please substitute the attached Replacement Sheet 23 of 25 for Drawing Sheet 23 of 25 as originally filed. In Replacement Sheet 23 of 25, the reference numeral 188b and its lead line in Fig. 22(b) have been deleted.